

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

RHONDA BURNETT, JEROD BREIT,
JEREMY KEEL, HOLLEE ELLIS, and
FRANCES HARVEY on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

THE NATIONAL ASSOCIATION OF
REALTORS, REALOGY HOLDINGS CORP.
(n/k/a ANYWHERE REAL ESTATE, INC.),
HOMESERVICES OF AMERICA, INC., BHH
AFFILIATES, LLC, HSF AFFILIATES, LLC,
RE/MAX LLC, and KELLER WILLIAMS
REALTY, INC.

Defendants.

Case No.: 4:19-cv-00332-SRB

SECOND CONSENT MOTION FOR EXTENSION OF TIME

Plaintiffs respectfully request that the Court enter an order extending until March 15, 2024, the time to respond to Defendants HomeServices of America, Inc., BHH Affiliates, LLC, and HSF Affiliates, LLC's (collectively, the "**HomeServices Defendants**") and Defendant The National Association of Realtors' ("**NAR**") post-trial motions. In support of this Motion, Plaintiffs state:

1. On November 13, 2023, the Court entered an Order setting a briefing schedule on post-trial motions. Doc. 1311. Pursuant to the Order, the HomeServices Defendants and NAR filed their post-trial motions on January 8, 2024.¹ Plaintiffs' deadline to respond to Defendants' post-trial motions was February 26, 2024.

¹ The HomeServices Defendants and NAR were granted leave and filed additional post-trial motions on February 7, 2024 and February 9, 2024.

2. On February 20, 2024, Plaintiffs filed a Consent Motion for Extension of Time and Enlargement of Page Limit. Doc. 1390. The Court granted the Motion for Extension on February 21, 2024, extending the deadline for Plaintiffs' responses to Defendants' post-trial motions up to and including March 8, 2024. Doc. 1391.

3. Plaintiffs respectfully request an additional extension of seven days, up to and including March 15, 2024, to respond to Defendants' post-trial motions, specifically:

- a. The HomeServices Defendants' Renewed Motion for Judgment as a Matter of Law (Doc. 1349);
- b. The HomeServices Defendants' Motion for a New Trial (Doc. 1357);
- c. Defendant The National Association of Realtors' Renewed Motion for Judgment as a Matter of Law (Doc. 1359);
- d. Defendant The National Association of Realtors' Motion for a New Trial (Doc. 1361);
- e. The HomeServices Defendants' Additional Motion for New Trial [1] (Doc. 1379);
- f. The HomeServices Defendants' Additional Renewed Motion for Judgment as a Matter of Law [1] (Doc. 1381);
- g. Defendant The National Association of Realtors' Additional Motion for New Trial (Doc. 1385); and
- h. Defendant The National Association of Realtors' Additional Renewed Motion for Judgment as a Matter of Law (Doc. 1387).

4. Counsel for Plaintiffs consulted with counsel for Defendants, who do not oppose the requested extension of time.

5. Counsel for Defendants requested that the time period for their Reply briefs be extended by fourteen (14) days, or to April 23, 2024. Plaintiffs do not oppose that request.

6. This Motion is not filed for the purpose of delay or harassment and will not cause prejudice as the Motion is consented to by all parties.

WHEREFORE Plaintiffs request that this Court enter an Order granting Plaintiffs an extension of time up to and including March 15, 2024, to respond to The HomeServices Defendants' Renewed Motion for Judgment as a Matter of Law (Doc. 1349); The HomeServices Defendants' Motion for a New Trial (Doc. 1357); Defendant The National Association of Realtors' Renewed Motion for Judgment as a Matter of Law (Doc. 1359); Defendant The National Association of Realtors' Motion for a New Trial (Doc. 1361); The HomeServices Defendants' Additional Motion for New Trial[1] (Doc. 1379); The HomeServices Defendants' Additional Renewed Motion for Judgment as a Matter of Law[1] (Doc. 1381); Defendant The National Association of Realtors' Additional Motion for New Trial (Doc. 1385); and Defendant The National Association of Realtors' Additional Renewed Motion for Judgment as a Matter of Law (Doc. 1387). In addition, Plaintiffs do not oppose Defendants' request that their Reply briefs be filed on or before April 23, 2024.

Dated: March 1, 2024

Respectfully submitted by:

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/s/ Jeremy M. Suhr

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of March 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to counsel of record for this case.

/s/ Jeremy M. Suhr

Attorney for Plaintiffs